

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RAKESH DIXIT,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action Docket No: 05-10379 JLT
BROADSPIRE)	
(f/k/a CORE, INC.))	
)	
)	
)	
Defendant.)	

DEFENDANT’S ANSWER TO PLAINTIFF’S COMPLAINT

Defendant Core, Inc. (“Defendant”), erroneously sued as Broadspire (f/d/a Core, Inc.) and never properly served, nonetheless responds to Plaintiff’s Complaint (the “Complaint”) as follows:

FIRST DEFENSE

In response to the paragraph on page 1 that begins “ I, Rakesh. . . .,” Defendant is informed and believes that Plaintiff is a United States citizen but lacks sufficient knowledge or information to form a belief as to the truth of the remaining material allegations contained in that paragraph and on that basis denies those remaining material allegations contained in that paragraph.

In response to the paragraph on page 1 that begins “The defendant is Core, Inc. . . .,” Defendant admits that it is an entity known as Core, Inc. but denies that it is located at 200 Wheeler Road, Burlington, MA, 01803. Defendant denies any remaining material allegations contained in that paragraph.

In response to the paragraph on page 1 that begins “I am a woman of Indian Origin. I began” Defendant admits that Plaintiff began working for Defendant in September of 2002 and Defendant is informed and believes and on that basis admits that Plaintiff is a woman of Indian origin. Defendant denies the remaining material allegations contained in this paragraph.

In response to the paragraph that begins on page 1 and continues on all of page 2 that begins “Some of those gestures . . . ,” Defendant admits that at some point during her employment Plaintiff brought several generic workplace complaints about co-workers to Core’s attention and that those complaints were addressed both with Plaintiff and her co-workers. Defendant further admits that in January of 2003 Core decided to move its claims specialist jobs to Maine and that this caused some claims specialists, including Plaintiff, to be laid off. Defendant denies the remaining material allegations contained in that paragraph.

In response to the paragraph on page 3 that begins “I am seeking monetary . . . ,” Defendant admits that Plaintiff purports to seek monetary relief and that she hopes that no one else “has to endure what I had to endure at Core” but denies that Plaintiff endured anything at core or has suffered any discrimination or harassment or ill-treatment at all and denies that Plaintiff is entitled to any relief at all.

SECOND DEFENSE

The Complaint fails, in whole or in part, to state a claim upon which relief may be granted.

THIRD DEFENSE

Plaintiff failed to mitigate her damages.

FOURTH DEFENSE

The Complaint is barred, in whole or in part, by the applicable statute of limitations.

FIFTH DEFENSE

Defendant acted at all times in good faith.

SIXTH DEFENSE

Defendant acted reasonably and/or took reasonable steps to remedy and/or prevent any inappropriate and/or harassing behavior.

SEVENTH DEFENSE

At all times, Defendant had in place adequate and appropriate procedures and channels through which to report incidents of any type of inappropriate conduct or behavior and/or any type of complaint.

EIGHTH DEFENSE

Plaintiff unreasonably failed to use Defendant's procedures and channels through which to report incidents of any type of inappropriate conduct or behavior and/or any type of complaint.

WHEREFORE, Defendant prays that the Complaint be dismissed, and that judgment be entered in its favor, together with its costs, and together with such other relief as the Court may deem just.

Dated: March 27, 2006

/s/ Mark E. Porada

Mark E. Porada (BBO# 662970)

Pierce Atwood LLP
One Monument Square
Portland, Maine 04101
207-791-1155

*Counsel for Defendant
Core, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on March 27, 2006, I electronically filed a copy of Defendant's Answer to Plaintiff's Complaint with the Clerk of Court using the CM/ECF system, and mailed a copy of the foregoing to the following via first-class mail, postage prepaid:

Rakesh Dixit
3 Chestnut Avenue
Burlington, MA 01803

/s/ Mark E. Porada
Mark E. Porada (BBO# 662970)